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Counsel for Matthew Rendon

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW RENDON,

Defendant.

Case No.: 2:19-CR-00210-JAD-BNW-1

**UNOPPOSED MOTION FOR
PREPARATION OF PRE-PLEA
INVESTIGATION REPORT¹**

Memorandum of Points and Authorities

Mr. Rendon, by and through his attorney, Todd M Leventhal, Esq. and hereby move this Court for an order directing the United States Probation Office to prepare a Pre-Plea Investigation Report to determine Mr. Rendon's applicable criminal history².

Mr. Rendon was charged by way of a indictment on August 14, 2019. At his arraignment and plea, he pled not guilty to all counts, Count 1-2: 18:922(g)(1) and 924(a)(2) - Felon in Possession of a Firearm.

¹ This motion is timely filed. No deadlines are applicable.

² Defense counsel met and conferred with the government as to this filing. The government does not oppose this filing.

1 The parties are in the process of attempting to negotiate this case. The parties believe they
 2 will be able to resolve this case short of trial. Based on the parties review of Mr. Rendon's
 3 criminal history, there is concern that Mr. Rendon's projected guideline range will be considered
 4 higher than anticipated.

5
 6 Mr. Rendon does have known criminal history. To satisfy Mr. Rendon's concerns and to
 7 assure that he has the information he needs to make a truly knowing and intelligent decision, as
 8 to whether to accept or reject the government's potential plea offer, he has requested that a Pre-
 9 Plea Presentence Investigation Report be completed to determine if his prior convictions will
 10 trigger the career offender designation under the United States Sentencing Guidelines §§ 4B1.1
 11 and 4B1.2. This request is also made in an effort to promote judicial economy.

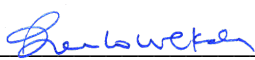
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 13 DATED April 18, 2021.

14 /s/ Todd M. Leventhal
 15 **TODD M. LEVENTHAL, ESQ.**
 16 Leventhal and Associates, PLLC
 17 Nevada Bar No. 8543
 18 California Bar No. 223577
 19 *Counsel for Matthew Rendon*

20
 21 **ORDER**

22 IT IS HEREBY ORDERED that the United States Probation Office shall prepare
 23 a Pre-Plea Presentence Investigation Report with respect to Defendant Matthew Rendon's
 24 criminal history points and corresponding criminal history.

25 DATED: September 21, 2021

26 
 27 United States Magistrate Judge

Certificate of Electronic Service

The undersigned hereby certifies that he is a person of such age and discretion as to be competent to serve papers. That on September 20, 2021, he served an electronic copy of this **UNOPOSSED MOTION FOR PREPARATION OF PRE-PLEA INVESTIGATION REPORT** by electronic service (ECF) to all parties registered.

/s/ Todd M Leventhal
Todd M Leventhal